

REMARKS

Claims 1-14 are pending of which claim 1 is independent. In this Amendment, claim 13 has been amended to cure improper dependency. Care has been exercised not to introduce new matter.

Claim Objections

Claim 13 was objected to under 37 C.F.R. § 1.75(c), as being of improper dependent form. Claim 13 has been amended to depend from claim 12. Withdrawal of the objection is respectfully requested.

Rejections of Claims Under 35 U.S.C. § 102

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Carey et al. (U.S. Patent No. 6,274,924, hereinafter “Carey”). The rejection is respectfully traversed for the following reasons.

Independent claim 1, in pertinent part, recites “at least two heat sinks of electrically and thermally conductive materials, the heat sinks being separated from each other and fixed to the main body.” As shown in FIG. 2, one example of what is claimed in claim 1, two heat sinks 7a, 7b are separated by a septum 3 and thereby electrically isolated from each other. The two heat sinks are attached to the main body 1 at the same time. Carey fails to disclose the above limitation.

Carey discloses an LED package in which a heat-sinking slug 10 is placed into a lead frame 12 and an LED die 16 is mounted to the slug 10 via a thermally conducting submount 18. The slug 10 conducts heat away from the LED die 16.

The submount 18 and the slug 10 on which the Examiner relies to disclose the claimed “two heat sinks” are not separated from each other, but the submount 19 is mounted on the slug

10. This is in direct contrast to the recitations of the two heat sinks of claim 1 that are separated from each other.

In addition, the slug 10 is electrically and thermally isolated from the lead frame 12 to which the Examiner refers as disclosing the main body of claim. (See Abstract and column 2, lines 30-32). On the contrary, claim 1 requires that the two heat sinks are fixed to the main body.

Hence, Carey does not satisfy the claim requirements that the two heat sinks are separated or the claim requirement that the heat sinks are both fixed to the main body. As anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), based on the foregoing, it is submitted that Carey does not anticipate claim 1, nor any claim dependent thereon. Thus, claim 1 and claims dependent thereon are patentable over Carey.

Rejections of Claims Under 35 U.S.C. § 103

Claims 8-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carey in view of Roberts et al. (U.S. Patent No. 6,335,548, hereinafter “Roberts”). Claims 11 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carey in view of Roberts and further in view of Pederson (U.S. Publication No. 2005/0001562, hereinafter “Pederson”). The rejection are respectfully traversed.

As addressed above, Carey fails to disclose the above limitations of claim 1, requiring “at least two heat sinks of electrically and thermally conductive materials, the heat sinks being separated from each other and fixed to the main body.”

In addition, Roberts which was cited for the “LED package” but not for the “two heat sinks” fails to cure the deficiencies of Carey. Moreover, Pederson which was cited for the

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“additional heat sink”, “zener diode”, and “controller” but not for the “two heat sink” still fails to cure the deficiencies of Carey.

Accordingly, as each and every limitation must be disclosed or suggested by the cited prior art references in order to establish a *prima facie* case of obviousness (*see*, M.P.E.P. § 2143.03) and for at least the foregoing reasons the combination of Carey, Roberts and Pederson fails to disclose or suggest the above limitations of claim 1, it is respectfully submitted that claims 8-14 including all limitations of and dependent upon claim 1 are patentable over the combination of Carey, Roberts and Pederson.

Conclusion

Upon entry of the above claim amendments, claims 1-14 remain active in this application. Applicant submits that all of the claims are in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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